

PUBLIC LAW 104-201-~~S~~EPTEMBER 23, 1996 110 STAT.  
2743

(2)(A) This paragraph applies to a converted employee who  
Applicability.  
was a prevailing rate employee (as defined under section  
5342(2)  
of title 5, United States Code) immediately before the  
employee's  
covered separation from Federal service.

(B) For purposes of computing the deferred  
annuity for a converted employee referred to in subparagraph (A), the  
average pay  
of the converted employee, computed under section  
8331(4) of title  
5, United States Code, as of the date of the  
employee's  
covered separation from Federal service, shall be adjusted  
at the same  
time and by the same percentage that pay rates  
for positions  
that are in the same area as, and are comparable  
to, the last  
position the converted employee held as a prevailing  
rate  
employee.  
are increased under section 5343(a) of such title  
during the period  
beginning on that date and ending on the date on  
which the  
converted employee attains early deferred retirement  
age.

(e) PAYMENT OF UNFUNDED LIABILITY.—(1) The military department concerned shall be liable for that portion of any estimated increase in the unfunded liability of the Civil Service Retirement and Disability Fund established under section 8348 of title 5, United

States Code, which is attributable to any benefits payable from such Fund to a converted employee, and any survivor of a converted

employee, when the increase results from

(1) an increase in the average pay of the converted employee under subsection (d) upon which such benefits are computed; and

(2) the commencement of an early deferred annuity in accordance with this section before the attainment of 62 years of age by the converted employee.

(2) The estimated increase in the unfunded liability for each department referred to in paragraph (1) shall be determined by the Director of the Office of Personnel Management. In making the determination, the Director shall consider any savings to the Fund as a result of a pilot program established under this section. The Secretary of the military department concerned shall pay the amount so determined to the Director in 10 equal annual installments with interest computed at the rate used in the most recent valuation of the Civil Service Retirement System, with the first payment thereof due at the end of the fiscal year in which an increase in average pay under subsection (d) becomes effective.

(f) CONTRACTOR SERVICE NOT CREDITABLE.—Service performed by a converted employee for a defense contractor after the employee's covered separation from Federal service is not creditable service for purposes of subchapter III of chapter 83 of title 5, United States Code.

(g) RECEIPT OF BENEFITS WHILE EMPLOYED BY A DEFENSE CONTRACTOR.—A converted employee may commence receipt of an early deferred annuity in accordance with this section while continuing to work for a defense contractor.

(h) LUMP-SUM CREDIT PAYMENT.—If a converted employee dies before attaining a early deferred retirement age, such employee shall be treated as a former employee who dies not retired for purposes of payment of the lump-sum credit under section 8342(d) of title 5, United States Code.

(i) CONTINUED FEDERAL HEALTH BENEFITS COVERAGE.—  
Notwithstanding section 8905a(e)(1)(A) of title 5, United States Code, the continued coverage of a converted employee for health benefits under chapter 89 of such title by reason of the application of